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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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FARKAS AND MANELLI PLLC
SEVENTH FLOOR
2000 M STREET N W
WASHINGTON, DC 200363307

EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2645

18

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/296,538

Applicant(s)

ALI ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-20, 22-26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20, 22-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's argument, see pages 9-20 of the Remarks filed on 04/15/2004, with respect to claims 1-30 have been fully considered and are persuasive. The final rejection of claims 1-30 has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5, 11-15 and 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Taylor et al. US 5,922,071.

2.1 Regarding claim 1, Taylor discloses a personal computer (voice messaging system) with telephone answering machine (TAM) application in figure 1 (column 4, lines 32-39). The personal computer comprises:

- a controller (a computer has a processor for controlling its operations);
- a temporary memory area (voice message memory) (column 24, lines 48-50);
- a mailbox memory (deleted voice message memory) (column 24, lines 51-55);

wherein a voice message is initially stored in said temporary memory area, and upon deletion of said voice message from said temporary memory area, said voice message is compressed, moved and restored in said mailbox memory (column 24, lines 41-55).

2.2 Regarding claim 2, Taylor teaches a modem 14 (telephone line interface) in figure 1 for receiving said voice message (column 4, lines 35-39).

2.3 Regarding claim 3, Taylor teaches that a user is able to retrieve said voice messages from his mailbox (column 8, lines 50-58).

2.4 Regarding claim 4, Taylor teaches deleting said voice message permanently from the mailbox (column 19, lines 66-67; column 20, lines 1- 2).

2.5 Regarding claim 5, Taylor teaches prompting a user to press a number (from computer keyboard since the TAM is a computer application) to delete said voice message (column 23, table 10, WAVE file 13).

2.6 Regarding claim 11, since the voice message stored in the temporary memory area is not compressed, the compressed voice messages stored in the mailbox inherently has a lower bit rate.

2.7 Regarding claim 12, Taylor discloses a personal computer (voice messaging system) with telephone answering machine (TAM) application in figure 1 (column 4, lines 32-39). Taylor teaches:

a voice message is initially stored in a temporary memory area, and upon deletion of said voice message from said temporary memory area, said voice message is compressed, moved and restored in a mailbox memory (column 24, lines 41-55).

2.8 Regarding claim 13, Taylor teaches that a user is able to retrieve said voice messages from his mailbox (column 8, lines 50-58).

2.9 Regarding claim 14, Taylor teaches entering a password to gain access to said mailbox (column 8, lines 59-65).

2.10 Regarding claim 15, Taylor teaches deleting said voice message permanently from the mailbox (column 19, lines 66-67; column 20, lines 1- 2).

2.11 Regarding claim 22, Taylor discloses a personal computer (voice messaging system) with telephone answering machine (TAM) application in figure 1 (column 4, lines 32-39). The personal computer comprises:

- a controller (a computer has a processor for controlling its operations) for a voice message from a temporary memory area (voice message memory) upon deletion (column 24, lines 48-50);

- said controller for compressing said voice message (column 24, lines 41-55);

- a mailbox memory (deleted voice message memory) for storing the compressed voice message (column 24, lines 51-55);

- said controller for retrieving the compressed voice messages (column 8, lines 59-65).

2.12 Regarding claim 23, the TAM has a keyboard (a computer inherently has a keyboard) for a user to enter a password (code) for retrieving said compressed voice message (column 8, lines 59-65).

2.13 Regarding claim 24, said controller permanently deletes said compressed voice message (column 19, lines 66-67; column 20, lines 1-2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones US 6,522,727 in view of Becker et al. US 5,699,411.

Jones discloses a system a method for archiving voice messages in figures 1-5.

Jones teaches:

retrieving a voice messages from voice messages system (voice message memory) and storing said voice message in a transfer queue (column 7, lines 16-26, 31-44);

deleting said voice message from said voice messaging system (column 8, lines 1-5, 33-36);

transmitting said voice message to an archiving system (column 7, lines 53-56) and storing said voice message in the archiving system (deleted voice message memory);

Jones fails to teach compressing said voice message when it is archived.

However, Becker discloses a system for archiving voice messages. Becker teaches compressing voice messages when archiving to save memory space (figure 15; column 14, lines 27-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Jones' reference with the teaching of Becker, so that the voice message would have been compressed when archiving, because such modification would have reduced the size of the voice message so that more archived voice messages could be stored in a memory area (deleted voice message memory) of the archiving system.

4. Claims 6, 16, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. US 5,922,071 in view of Yaker US 6,137,864.

Taylor teaches deleting a voice message from a new message memory (temporary memory), compressing the voice message and storing the compressed voice message in a mailbox (deleted voice message memory). Taylor teaches deleting said voice messages permanently from the mailbox, but fails to teach deleting said voice message at a predetermined time interval.

However, Yaker discloses a voice messaging system in figure 1, which can be a telephone answering machine. Yaker teaches that a voice message is retained (in a telephone answering machine) for a time interval specified by a caller (column 2, lines 57-67), or by a called party (column 3, lines 39-47) before permanently deleted.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Taylor's reference with the teaching of Yaker, so that the compressed voice message in the mailbox would have been automatically and permanently deleted after a predetermined time interval, because

such modification would have enabled the answering machine to purged old messages to make room for newly arrived and compressed messages.

5. Claims 7, 8, 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. US 5,922,071 in view of Cannon US 6,275,569.

Taylor teaches deleting a voice message from a new message memory (temporary memory), compressing the voice message and storing the compressed voice message in a mailbox (deleted voice message memory). Taylor teaches deleting said voice messages permanently from the mailbox, but fails to teach deleting said voice message, which is the oldest in the mailbox, when the messages stored in the mailbox a reaches a predetermined number.

However, Cannon discloses a stand-alone voice messaging system for individual use in figure 1. Cannon teaches a mailbox allows only a maximum number of voice messages to be stored, and once the maximum number is reached, a new message will replace (write-over, delete) the oldest message.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Taylor's reference with the teaching of Cannon, so that the compressed voice message in the mailbox would have been automatically and permanently deleted after a predetermined number of messages were stored, because such modification would have enabled the answering machine to over written the oldest messages so that there would always have had room for newly arrived and compressed messages.

6. Claims 9, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor et al. US 5,922,071 in view of Sweet et al. US Patent No. 5,163,085.

Taylor teaches deleting a voice message from a new message memory (temporary memory), compressing the voice message and storing the compressed voice message in a mailbox (deleted voice message memory). Taylor teaches deleting said voice messages permanently from the mailbox, but fails to teach deleting said voice message, which is the oldest in the mailbox, when the messages stored in the mailbox reaches a predetermined percentage.

However, Sweet discloses a digital voice storage and retrieval system in figure 2. Sweet teaches that when voice messages in a Voice File (folder, or memory area) reach a predetermined percentage level, the oldest voice messages in the voice file will be deleted (column 12, lines 53-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Taylor's reference with the teaching of Cannon, so that the compressed voice message in the mailbox would have been automatically and permanently deleted after predetermined percentage of mailbox's capacity was reached, because such modification would have enabled the answering machine to delete the oldest messages so that there would always have had enough room for newly arrived and compressed messages.

7. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Checchio et al. US Patent No. 5,912,951 in view of Blumrich US 6,493,800.

Checchio discloses a voice mail system comprises a controller 304, new message memory container 314 and saved message container 318 in figure 3A. Checchio teaches deleting messages from the new message container 314 and saving them in the saved message container 318 (column 4, lines 17-24; column 5, lines 57-66). Checchio also teaches retrieving a saved message from the saved message container 318 (column 5, lines 12-16). Checchio's saved memory container is the deleted voice message memory of current invention, because both systems have two memory areas, and messages deleted from a first memory area are stored in a second memory area. In the current invention, a "deleted message" actually is a "saved messages" since the "deleted message" is not actually deleted (erased or wiped-out from all memory areas), but moved to another memory area. Checchio fails to teach dynamically adjusting the total memory area to optimize a space for the new message container 314 and the saved message container 318.

However, Blumrich discloses a method and system for dynamically partitioning a shared memory (cache). Blumrich teaches that a memory is shared by a plurality of entities. Blumrich also teaches dynamically and physically segregating a storage space allocated to each entity of a plurality of said entities, and the sizes of partitions (storage spaces) can be varied dynamically to adjust to resource needs (column 10, claim 17).

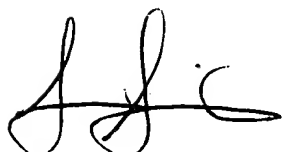
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Checchio's reference with the teaching of

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Blumrich, so that the new message container 314 and the saved message container 318 of Checchio would have treated as the entities of Blumrich, and both memory spaces would have been dynamically adjusted for optimization, such modification would have enabled the modified system with flexible means to balanced the needs of the new message container 314 and the saved message container 318.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.



S.S.

05/13/2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

